

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	
-v.-	:	DECLARATION IN SUPPORT
	:	OF FINAL ORDER OF
	:	<u>FORFEITURE</u>
	:	
JAMES ZHONG,	:	22 Cr. 606 (PGG)
	:	
Defendant.	:	
	:	
	:	
	:	
	:	
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David R. Felton, pursuant to Title 28, United States Code, Section 1746, declares under penalty of perjury as follows:

1. I am an Assistant United States Attorney in the Office of Damian Williams, United States Attorney for the Southern District of New York, and attorney for the Government herein. I am responsible for the above-captioned matter, and as such, I am familiar with the facts and circumstances of this proceeding. This declaration is submitted in support of the Government's submission for the entry of a Final Order of Forfeiture in the above-captioned case.

2. On or about November 4, 2022, the Court entered a Consent Preliminary Order of Forfeiture as to Specific Property and Substitute Assets/Money Judgment (D.E. 7) (the "Preliminary Order of Forfeiture")<sup>1</sup> with respect to JAMES ZHONG (the "Defendant"), forfeiting to the United States all right, title, and interest of the Defendant in the following property:

- a. 11.1160005300044 BTC seized from Defendant's residence in the Northern District of Georgia, on or about November 9, 2021;

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<sup>1</sup> On or about December 6, 2022, this Court entered a Corrected Preliminary Order of Forfeiture as to Specific Property and Substitute Assets/Money Judgment (D.E. 20), wherein the Preliminary Order of Forfeiture was corrected only as to the listed agency and remained unchanged in all other material respects.

- b. \$661,900 in United States currency seized from Defendant's residence in the Northern District of Georgia, on or about November 9, 2021;
- c. 25 Casascius coins (physical bitcoin) with an approximate value of 174 BTC, seized from Defendant's residence in the Northern District of Georgia, on or about November 9, 2021;
- d. Various metal items, consisting of four one-ounce silver-colored bars, three one ounce gold-colored bars, four 10-ounce silver-colored bars, and one gold-colored coin, seized from Defendant's residence in the Northern District of Georgia, on or about November 9, 2021;
- e. 23.7112850 BTC seized from the Defendant on or about April 27, 2022 in the Southern District of New York;
- f. 115.02532155 BTC seized from the Defendant on or about April 28, 2022 in the Southern District of New York;
- g. 4.57427222 BTC seized from the Defendant on or about June 8, 2022 in the Southern District of New York; and
- h. The Defendant's 80% interest in RE&D Investments, LLC, EIN: 84-1727241;

(a. through h., collectively, the "Specific Property").

3. The Notice of Forfeiture and the intent of the Government to dispose of the Specific Property was posted on an official government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) beginning on January 4, 2023 for thirty (30) consecutive days, through February 2, 2023, pursuant to Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty and Maritime Claims and Asset Forfeiture Actions, and proof of such publication was filed with the Clerk of the Court on March 6, 2023 (D.E. 26).

4. Since final publication of the Notice of Forfeiture, thirty (30) days have expired and no petitions or claims to contest the forfeiture of the Specific Property have been filed.

5. The Defendant is the only person and/or entity known by the Government to have a potential interest in the Specific Property.

6. Accordingly, the Government requests that the Court enter the proposed Final Order of Forfeiture.

7. No previous application for the relief requested herein has been sought.

Dated: New York, New York  
March 6, 2023

DAMIAN WILLIAMS  
United States Attorney for the  
Southern District of New York

By:                     /s/                      
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